AU 1624

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

AUSTIN et al — Atty. Ref.: 3525-28; Confirmation No. 7217

Appl. No. 09/403,392 — TC/A.U. 1624

Filed: October 21, 1999 — Examiner: Tamthom Ngo Truong

For: NOVEL COMPOUNDS

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April 29, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please entered TNT 5-24-04

AMENDMENT

In response to the Official Action mailed December 29, 2003 (for which petition is hereby made for a one-month extension of time), please amend the above-identified application as follows:

04/30/2004 FFANAEIA 00000068 09403392

01 FC:1201 86.00 OP
02 FC:1202 306.00 OP
03 FC:1251 110.00 OP

837658

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Please enter T-N.

Claim 15: line 1, delete **"chemokine mediated"**, and insert – gastrointestinal tract – in its place.

Line 2, delete **"wherein the chemokine binds to a CXCR2 receptor"**.

(see attachment)

Authorization for this examiner's amendment was given in a telephone interview with Mr. Leonard Mitchard on 05-24-04. Support for the amendment is on page 31 in the specification.

Allowable Subject Matter

Applicant's amendment of 04-29-04 has overcome the previous rejections of 112/1st and 2nd paragraphs by properly defining variables L^2-L^5, and by including "tautomer" in claim 1. It is recognized that the support for the "tautomer" of formula I comes from species of "thiazolo[4,5-d]pyrimidin-7(4H)-one". Thus, there is no new matter. The species in claim 6 have been divided, and recited in new claims 18-39, and thus, claim 6 is now in accordance with

a compound of formula (I), or a pharmaceutically acceptable salt or solvate thereof, as claimed in claim 1 with a pharmaceutically acceptable adjuvant, diluent or carrier.

13-14 (deleted)

Examiner's Amendment of 5-24-04

15 (previously presented). A method of treating a ~~chemokine-mediated~~ gastrointestinal tract disease ~~wherein the chemokine binds to a CXCR2 receptor~~, which comprises administering to a patient a therapeutically effective amount of a compound of formula (I), or a pharmaceutically acceptable salt or solvate thereof, as claimed in claim 1.

16 (previously presented). A method of treating an inflammatory disease in a patient suffering from, or at risk of, said disease, which comprises administering to the patient a therapeutically effective amount of a compound of formula (I), or a pharmaceutically acceptable salt or solvate thereof, as claimed in claim 1.

17 (original). A method according to claim 16, wherein the disease is psoriasis.

18 (new). A compound according to claim 1 being selected from:
N^7-[3-(Dimethylamino)propyl]-5-(pentylthio)thiazolo[4,5-*d*]pyrimidine-2,7-diamine,
N^7-[2-(Diethylamino)ethyl]-5-(pentylthio)thiazolo[4,5-*d*]pyrimidine-2,7-diamine,
N^7-[2-(Dimethylamino)ethyl]-5-(pentylthio)thiazolo[4,5-*d*]pyrimidine-2,7-diamine,
3-[(2-Amino-5-(pentylthio)thiazolo[4,5-*d*]pyrimidin-7-yl)amino]-1-propanol,
N^7-Cyclohexyl-5-(pentylthio)thiazolo[4,5-*d*]pyrimidine-2,7-diamine,